

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
Lenora Tillett Bromfield	:	Civil Docket No:
	:	16-cv-10047 (ALC)(SLC)
Plaintiff,	:	
-against-	:	
	:	
Bronx Lebanon Special Care Center, Inc. Ms.	:	
Maria Collura, Director of Human Resources;	:	<b>MOTION TO COMPEL PRODUCTION</b>
Olive Brown, Chief Nursing Officer, Yvonne	:	
Wedderburn, Assistant Director of Nursing;	:	
Grace Baptiste, Certified Nursing Assistant,	:	
	:	
Defendant(s).	:	
-----	X	

RECEIVED  
SDNY DOCKET  
2020 AUG 24 AM 8:53

COMES NOW, Lenora Bromfield, the Plaintiff Pro Se ("Plaintiff") and hereby moves this Honorable Court pursuant to Rule 37(a)(3)(B)(iv) of the Federal Rules of Civil Procedure for an Order compelling Defendant(s) to produce for inspection and copying the original of the following documents and things at the U.S. District Court for the Southern District of New York or such other place as the parties may hereafter agree, stating in support:

1. On April 28, 2020 Plaintiff served Defendants with Plaintiff's Ninth Set of Document Demands by certified mail with a Request for Production of documents as to a copy of Mr. Ian Andrews March 20, 2016 incident report that was prepared by him on the actual day of incident where Melissa Santos (CNA), a white Hispanic reported an injured resident-patient in room 608 at around 11:30 a.m., about 3 ½ hours into the 8:00 a.m. to 4:30 p.m. shift at the Bronx Lebanon Special Care Center.
2. In Document Request No. 1, Plaintiff requested "A true and complete copy of Mr. Ian Andrew's (License Practical Nurse (LPN)) Incident Report prepared and dated March 20, 2016, which is referenced or mentioned in Mr. Ian Andrews March 25, 2016 incident report provided by Defendants [BLHC 0000184]."
3. In Document Request No. 2, Plaintiff requested "A true and complete copy of Defendant Grace Baptiste's incident report regarding and following the March 20, 2016 incident of the resident-patient with the injured or broken toe in room 608A".

4. In Document Request No. 3, Plaintiff requested "A true and complete copy of the Hourly Round-Sheets for March 20, 2016 covering the midnight 12:00 a.m. to 8:30 a.m. shift and the morning 8:00 a.m. to 4:30 p.m. shift for room 608 (A & B)".
5. In Document Request No. 4, Plaintiff requested "A true and complete copy of the Employee Assignment Sheets for March 20, 2016 covering the midnight 12:00 a.m. to 8:30 a.m. shift and the morning 8:00 a.m. to 4:30 p.m. shift for room 608 (A & B)".
6. In Document Request No. 5, Plaintiff requested "A true and complete copy of video recording or footage for March 19, 2016 evening 4:00 p.m. to midnight 12:30 a.m. and March 20, 2016, covering the midnight 12:00 a.m. to 8:30 a.m. shift through the morning 8:00 a.m. to 4:30 p.m. shift relative to or at the location of Room 608 (A & B)".
7. Defendant(s) failed and refused to respond with any of the requested production within the time limit set by the Rules of Civil Procedure that control this Honorable Court.
8. Each of the items requested, with emphasis with Document Request No. 1, are reasonably calculated to lead to the discovery of admissible evidence in accordance with the general rule governing discovery in this Court.
9. Justice and the rules controlling this Honorable Court require that the requested items be produced forthwith.

WHEREFORE, Plaintiff moves this Honorable Court to enter an ORDER compelling defendants to produce in accordance with the rules of this Court.

Dated: August 24, 2020  
Bridgeport Connecticut

cc: GARFUNKEL WILD, P.C.  
Marc A. Sittenreich, Esq.,  
111 Great Neck Road  
Great Neck, New York 11021

The Court notes receipt of Plaintiff Lenora Bromfield's Letter-Motion to compel production (ECF No. 169) and, in accordance with the Court's August 19, 2020 Order (ECF No. 165), holds the Letter-Motion in abeyance pending the parties' settlement conference scheduled for October 1, 2020.

The Court recommends that the parties await to raise any additional discovery disputes after the settlement conference.

The Clerk of Court is respectfully directed to close ECF No. 169 and mail a copy of this Order to Ms. Bromfield at the address below.

Lenora Bromfield  
66 Washington Terrace  
Bridgeport, CT 06604

So-Ordered 8/26/2020

  
SARAH L. CAVE  
United States Magistrate Judge